

US EPA ARCHIVE DOCUMENT

STAGE 5: BENEFITING FROM THE RESULTS

A. Incorporating the Results into Decisions

Among reasons that you conducted a stakeholder involvement process during your decisionmaking were to:

- Greatly expand your knowledge and practical insights into the issues on which you must act;
- Expedite your work by highlighting the issues that require the most attention so you could prioritize the use of your resources accordingly;
- Instill in the stakeholders a sense of ownership and understanding of the problem so they would accept decisions they might otherwise protest;
- Generate support for decisions that might otherwise play out in other forums;
- Develop ongoing relationships to help you implement the policy; and/or
- Resolve specific politicized issues that might otherwise end up at the White House, before Congress, or in court.

You faced the challenge of designing and conducting a stakeholder involvement process that gave you information, analyses and options that were a useful and timely contribution to your decision-making process. You devoted substantial resources to working with stakeholders and they, in turn, devoted substantial resources to working with you. It is important that you actually use this knowledge in your decision.

1. Ratification of Agreements

In an agreement-based process, the Agency and the participants may have promised that, if an agreement is reached, the Agency will use it as a basis for the final decision (rule, policy, standard, settlement) and the parties agree to do their part to implement it. This agreement is based upon the following assumptions:

- Each party has determined through consultation with its constituency and management that the agreement is acceptable; and

In this Chapter:

- A. Incorporating the Results in Your Decision
 - Ratification of Agreements
- B. Providing Appropriate Feedback to Public
- C. Learning From Your Experience
 - 1. Debriefing the process
 - 2. Evaluating the process
- D. Telling Your Story

Ways to Prepare for Workgroup Ratification

- Maintain timely two-way communication with workgroup through distribution of meeting summaries, data, and analyses
- Keep a website updated or have a list serve or internal electronic discussion group
- Encourage workgroup members to attend public involvement meetings or events to listen for themselves and to participate within the limits of the groundrules of the process
- Conduct regular meetings or conference calls to provide updates to your workgroup

- Acceptable means that the agreement is within applicable statutes, regulations and/or policies and can be implemented within budget, personnel and time constraints

The process of determining acceptability should be done *before* the agreement is signed or finalized. This process is called ratification. The ratification process is most important when you are involved in an agreement process. Entering into an agreement without having ratified the terms internally can result in tremendous damage to the Agency's credibility.

In a recommendations process, ratification may be somewhat less essential because some recommendations processes are specifically designed either to produce a range of recommendations or to challenge the Agency. However, that said, recommendations from a long-term process should be taken very seriously, and the Agency should provide feedback before the group reaches a final recommendation.

Ratification is not usually possible or necessary in an information exchange process. The process is designed to generate information, data, analyses, or alternatives. It is important that the Agency be candid throughout the process about what is possible and why, but the process is not designed to result in an agreement subject to ratification. Similarly, ratification is usually unnecessary in stakeholder action processes, particularly if the decisions produced do not call for any Agency actions in the implementation process.

Team or Workgroup Ratification: Many regulation, policy, planning or site decisions have an EPA team or workgroup with representatives from relevant headquarters and regional offices with differing missions and viewpoints. It is important that this team be on board for the decisions—it should know what the alternatives were and why the package developed as it did. Incomplete coordination with workgroups or teams has stalled many decisions while the team tried to accommodate all views.

Management Ratification: Don't leave briefing of upper management of your office or other relevant offices (management or your team members) until the last meeting with stakeholders. Management needs to understand not only what is being recommended or agreed upon, but how the group got to that place, what options were considered, rejected and why. Depending on the level of management at the table, education of management may be simple or fairly time consuming.

To obtain final ratification, you should consider whether it is necessary or appropriate to obtain the decision in writing—does your management need to sign a document? Or is verbal agreement appropriate? Generally, the process ground rules specify the type of agreement needed from each party. As you approach the end of the process you may wish to consult with the facilitator or mediator because the situation may have changed.

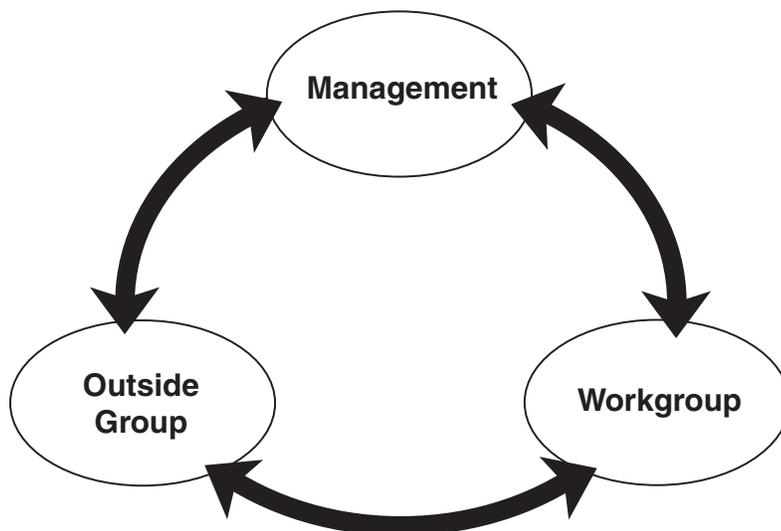
Most agreements should be presented as packages for ratification as a whole, not as a menu of separate items to concur upon separately. The whole generally represents many smaller accommodations or trade-offs that have been made to make the whole more acceptable to all parties. In these cases, it is important to discuss ratification of the whole with the workgroup and management. If there are parts that are totally unacceptable, be ready to suggest alternatives to your negotiating group or committee.

In a recommendations process, it is still valuable to give the group a sense of the acceptability and implementability of the recommendations and any suggestions or alternatives for making the recommendations more acceptable. Even though ratification is not necessary, the group must inform those who are making the EPA decision of the recommendations in order to affect the decision-making process. Many times the decision-making process and the recommendations process are working in parallel—it is important to establish feedback loops to coordinate all parties involved and ensure that recommendations are made.

Ways to Prepare for Management Ratification

- Provide opportunities for upper management to occasionally be on the agenda at meetings or events to listen to concerns from stakeholders or briefings from the group
- Invite the facilitator to make presentations to management – keeping in mind the need for neutrality
- Invite the chair, executive committee, or a small group from your committee to brief management occasionally
- Prepare fact sheets, discussion papers, etc.

Remember that management needs to know how the group got to a decision as much as what the decision is.



This same feedback loop process is also useful in information exchange processes. The process may be one with more stops or pauses rather than a continuous loop because the public involvement events may be focused on certain milestones or narrow issues, but the timing for communicating results to the decisionmakers is key. If information arrives too late, it is not useful and may discourage future input from stakeholders. People don't see much point in contributing time, ideas, and resources to decisions that are already made – why not just save the resources for litigation or some other fight?

Options for Providing Feedback

EPA's Public Involvement Policy lists reviewing and using input and providing feedback as one of the seven steps for effective public involvement in any Agency decision or activity. It states that "the Agency should provide feedback to participants and interested parties concerning the outcome of the public's involvement." Options for providing feedback to the public include:

- Responsiveness summaries and preambles posted on a website, the docket or in public places, or distributed via mail or email
- Continual feedback throughout the duration of a process
- Press briefings and news releases
- Meetings
- Thank-you letters

B. Providing Appropriate Feedback

This is one of the most difficult aspects of public involvement—most stakeholders are disappointed when the only feedback they get is a general discussion of their points in the preamble or responsiveness summary. However, in most cases, it is logistically difficult or extremely expensive to respond personally to each comment submitted or discussed.

It may be useful to discuss appropriate, satisfying feedback methods with the parties during the situation assessment process. It may also be more satisfying to provide continual feedback during each part of the process rather than trying to get it all together at the end. You may want to consider having managers summarize what they heard at the end of each meeting or event, or to summarize the comments in meeting summaries along with a description of how and when the information will be given to decision makers and who the decision makers are.

In recommendations and agreement processes, it is easier (by comparison) to give feedback on ideas because stakeholders discuss ideas as they are presented; stakeholders can see how decisionmakers are weighing the information and options. As part of your process design, you should determine how and to whom the stakeholder group will present recommendations for consideration and the steps to provide feedback. Frequently it is also useful to know other parties' processes for considering options so that expectations about the feedback and communications processes are well understood by all parties.

It is common practice for a preamble or responsiveness summary to accompany the final decision. Sometimes it is hard for the participants to find their contributions reflected in these summary discussions. It may be useful to approach these documents from the

point of view of the participants as well as preparing a record for potential litigation. It should be a communications document that rewards stakeholders who participated by discussing how their contributions affected the decision.

Just as you are encouraged to write thank-you letters after receiving a gift, it is polite and respectful for the Agency to write back to a committee that has presented recommendations or helped to develop an agreement. The letter should acknowledge receipt of the document and thank them for the effort it took to generate it, and to estimate the time and process that the Agency will now undertake to make the decision. It may also be rewarding to conduct some type of reception or ceremony for the committee to thank them and to celebrate their reaching consensus. Sometimes these little acknowledgments and appreciations make a world of difference in the public involvement process.

In information exchange processes, you can post the comments to the docket and your website for all to see. You can also describe to participants in stakeholder involvement events what will happen to the summaries or discussions—who will get them, what other information the Agency will produce and consider, and where and when the responsiveness summary will be posted. The internet may be a great tool to provide feedback and updates since it is easier to access than physical dockets.

C. Learning from Your Experience

So—you made your decision, but did you or your organization learn anything about the process? Too often participants in a public involvement process move on to new issues and new processes without pausing to reflect deliberately on lessons learned. Learning is not shared or not shared well within the organization. The organization doesn't learn what it would take to do the process better.

1. Debriefing the Process

You should have had regular meeting or event debriefs with your team, management, and/or facilitator. But before moving on, stop, and with your team and the facilitator/mediator, debrief the whole process. You should write up a memo with recommendations and circulate it to others and the file. Sometimes this process is called a “Plus/Delta” process—what worked well and what you would change:

- Did you achieve your process objectives?
- Was the information gained useful in the decision-making? Why or why not?
- What worked well?
- What worked poorly? Why? Were there problems with resources, personalities, content, context, timing, design, skills, logistics?
- What would you do differently next time?
- What would your facilitator/mediator advise differently next time?
- How could you, your team, or the facilitator improve your respective performances in the future?
- What do you think would have happened if you didn't use a collaborative process?

2. Evaluating the Process

You can build an evaluation component into your process during the situation assessment and design phases. Maybe you conducted individual meeting or event evaluations. Evaluating the whole process is not as easy as combining these separate evaluations. During the situation assessment and design steps you decided on the purpose, goals, and objectives of the process—in other words, your measures of success. Did the process, viewed as a whole, accomplish these measures? Why or why not?

A number of evaluation protocols exist on the EPA Public Involvement website and from U.S. Institute for Environmental Conflict Resolution (IECR) and EPA's Conflict Prevention and Resolution Center (CPRC). You should consult with knowledgeable staff in these organizations to design an evaluation protocol that fits your process and your measures of success. It is important to plan for the resources to conduct the evaluation—questionnaires or interviews take personnel or contractor resources to conduct and summarize. Many evaluations have sputtered out due to lack of resources at the end or lack of interest due to parties moving on to the next hot issue.

Once the results are in, you should distribute them to management, workgroup members, CPRC, the Office of Policy, Economics, and Innovations, and others who might learn from your process how to better perform stakeholder involvement processes. An evaluation that

sits in your drawer is contributing little to the institutional improvements that are necessary.

D. Telling Your Story

Human society learns from stories. It is important to tell yours. You should write up a case story or case study or have your facilitator or contractor write it up. Present your story at technical and scientific conferences to educate your peers about what you learned and how your decisions were made better due to involving the public. Present your story at community and public involvement conferences to get feedback about how to improve. Use your story in training others in your field during technical training sessions or courses.

Post the case story or case study on your website or prepare handouts or brochures. Submit your case story or case study to CPRC (adr@epa.gov) or IECR (www.ecr.gov) so that word gets out to an even wider audience. Get the word out—EPA engages in a great deal of successful public involvement but sometimes misses getting credit for it because the stories are not told widely or documented for the future. Similarly, don't be shy about issuing press releases that explain how public involvement benefited agency decisions. In particular, press releases provide EPA a means to acknowledge and credit parties who engage in stakeholder action processes, providing incentives for stakeholders to participate in future voluntary actions.

So now that you have concluded your stakeholder involvement process, what should you do? Having invested significant amounts of time, money, and energy, you and the stakeholders should reap the benefits of your collective efforts by using the input and knowledge obtained through the process in your decision. You should also explain to the stakeholders how their input was used in your decision. In addition, you should evaluate your stakeholder involvement process to understand what worked, what didn't, and how you might improve future stakeholder involvement processes. As you conclude your stakeholder involvement effort, you should use the questions on the following pages to think through how to use the results of your process, provide feedback to the stakeholders, and evaluate your process. ■

Sharing Your Story

There are many ways of documenting your story for the benefit of others. The following outline is one that can be adapted to developing a stakeholder involvement process case study or case story.

I. Background — describes the context and the stakeholders. The stakeholder involvement process occurs in the context of some EPA program activity and often also in the context of the community and stakeholders involved in it. You need to describe this context if the reader of the case study is going to understand the stakeholder involvement event. Your discussion of the stakeholders should include who they are how they might be affected by the EPA action.

II. The Stakeholder Involvement Process — is the heart of the case study report and should be described thoroughly. You should describe the stakeholder involvement outcome sought and your reasons for that choice. In addition, describe the mechanics of the process — in other words, what the process consisted of and how it was conducted—so that others may learn from your experience.

III. Evaluation — identify the range of factors that influenced the success (or lack thereof) of your stakeholder involvement effort. You should include in this discussion a description of the outcome of the process, the stakeholders' satisfaction with the outcome and with the process itself, and the lessons you learned from the experience.

Send your case study to adr@epa.gov.

Questions Regarding Benefiting from the Stakeholder Involvement Process

1. How will you incorporate the results of your stakeholder involvement process into the decision to be made?

2. What measures will you take to prepare for ratification?

- Maintain two-way communication with workgroup and management?
- Keep an updated website or a list-serve?
- Encourage workgroup members to attend public involvement events?
- Provide opportunities for upper management to be on the agenda at meetings or to listen to stakeholder concerns?
- Conduct regular meetings/conference calls to update your management and workgroup?
- Invite the facilitator to make presentations to the workgroup or management?
- Invite the chair or executive committee to brief management?
- Prepare fact sheets or discussion papers?
- Other?

3. How will you provide feedback to the stakeholders on how their participation and comments influenced the decision or outcome?

4. How often will you and your team debrief the process? What methods will you use?

5. What are the criteria you will use to evaluate the process? What are the tools/mechanisms you will use? What resources will you commit to the evaluation process?
